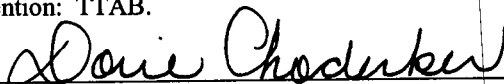


TTAB

I hereby certify that on March 24, 2004, this correspondence and all listed attachments are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514, Attention: TTAB.



Name: Dorie Choderker



03-29-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #78

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application S.N. 75/192,631 in Class 41  
Published September 29, 1998

In the Matter of Application S.N. 75/192,629 in Class 35  
Published July 27, 1999

In the Matter of Registration No. 2,317,477 in Class 41

VIACOM INTERNATIONAL INC.,

Opposer/Petitioner

-against-

MINATAUR PRODUCTIONS, INC.,

Applicant/Registrant.

Opposition No. 112,850  
(Consolidated with Opp. No. 112,851 and  
Cancellation No. 41,048)

**MOTION ON CONSENT FOR 6-MONTH SUSPENSION OF PROCEEDINGS  
AND TO EXTEND TIME FOR DISCOVERY AND TESTIMONY PERIODS**

Applicant/Registrant Channel M, Inc. ("Channel M"), the Assignee of applications Serial Nos. 75/192,631 and 75/192,629 and Registration No. 2,317,477, and the real party in interest in the above-identified consolidated proceedings (the "Proceedings"), by and through its

attorneys, with the consent of Opposer/Petitioner Viacom International Inc. ("Opposer/Petitioner"), hereby moves that the Proceedings be suspended for a period of six (6) months subject to being reinstated at the request of either party. Upon resumption, the parties request that the deadline for discovery to close be extended so that discovery closes sixty (60) days after the resumption of the Proceedings to allow adequate time for the parties to complete discovery, if necessary, and that the testimony periods be reset accordingly.

The parties have settled this matter and on March 23, 2004 Applicant/Registrant filed a Request To Amend Registration With Consent in connection with Registration No. 2,317,477 and a Post-Publication Amendment With Consent in connection with application Serial No. 75/192,629 (collectively, the "Amendments"). Attached as Exhibit A hereto and made a part hereof is a copy of the Request To Amend Registration With Consent and attached as Exhibit B hereto and made a part hereof is a copy of the Post-Publication Amendment With Consent. The suspension is requested to allow the Trademark Trial And Appeal Board to review and enter the requested Amendments.

Barbara Solomon, the attorney for Opposer/Petitioner, consents to the requested suspension and extensions of time.

Respectfully submitted,

Dated: 3/24/04



Dorie Choderker  
Law Office of Dorie Choderker  
3415 S. Sepulveda Boulevard  
Ninth Floor  
Los Angeles, CA 90034  
Telephone: (310) 390-6700  
Facsimile: (310) 398-5317  
E-mail: choderker.dorie@verizon.net

Attorney for Channel M, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 24, 2004, a copy of the foregoing Motion On Consent For 6-Month Suspension Of Proceedings And To Extend Time For Discovery And Testimony Periods is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

Barbara Solomon, Esq.  
Michael Chiappetta, Esq.  
Fross Zelnick Lehrman & Zissu, P.C.  
866 United Nations Plaza  
New York, NY 10017

The same being the attorneys for Opposer/Petitioner.

Dated: 3/24/04

  
Dorie Choderker

FILE COPY

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Commissioner for Trademarks, 2900 Crystal Drive, Arlington,  
Virginia 22202-3514, Attention: TTAB.

Dorie Choderker  
Name: Dorie Choderker

03-29-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #78

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration No. 2,317,477 in Class 41

VIACOM INTERNATIONAL INC.,

Opposer/Petitioner

-against-

MINATAUR PRODUCTIONS, INC.,

Applicant/Registrant.

Opposition No. 112,850  
(Consolidated with Opp. No. 112,851 and  
Cancellation No. 41,048)

**REQUEST TO AMEND REGISTRATION WITH CONSENT**

Applicant/Registrant Channel M, Inc. ("Applicant/Registrant") is the owner of all rights in Registration No. 2,317,477 by assignment from Minataur Productions, Inc. filed in the United States Patent and Trademark Office on July 31, 2003 and the real party in interest in this proceeding as set forth in its Motion On Consent To Substitute Party and Re-Caption Proceeding filed with the Trademark Trial and Appeal Board (the "Board") on December 12, 2003.

Applicant/Registrant hereby seeks to amend the description of services in its above-identified Registration No. 2,317,477. Counsel for Opposer/Petitioner Viacom International Inc. ("Opposer/Petitioner") has consented to this amendment.

Accordingly, subject to the approval of the Board, Applicant/Registrant, with the consent of Opposer/Petitioner, hereby requests that the identification of services in its Registration No. 2,317,477 in Class 41 be amended as follows:

#### **AMENDMENT**

Please delete the present identification of services in its entirety and change to read --production and distribution of television programs for closed-circuit television which are not available for home viewing or viewing in educational institutions; and television programming for closed-circuit television which is not available for home viewing or viewing in educational institutions.--

#### **DECLARATION**

The undersigned, David Teichner, being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S. C. § 1001, and that such willful false statements and the like may jeopardize the validity of this document or the registration to which it relates, declares that he is properly authorized to execute this Declaration on behalf of the Registrant; and all statements made herein of his own knowledge are true; and all statements made herein on information and belief are believed to be true.

The Original Certificate of Registration is enclosed for endorsement of the Amendment.

Also enclosed is the required fee in the amount of \$100.00.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 23, 2004, a copy of the foregoing Request To Amend Registration With Consent is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

Michael Chiappetta, Esq.  
Barbara Solomon, Esq.  
Fross Zelnick Lehrman & Zissu, P.C.  
866 United Nations Plaza  
New York, NY 10017

The same being the attorneys for Opposer/Petitioner.

Dated: 3/23/04

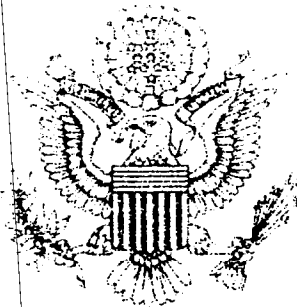
Dorie Choderker  
Dorie Choderker

**CERTIFICATE OF REGISTRATION**

**REGISTRATION NO. 2,317,477**

Cancellation No. 41,048

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



*J. Todd Pichini*

Commissioner of Patents and Trademarks



## **Requirements for Maintaining a Federal Trademark Registration**

### **SECTION 8: AFFIDAVIT OF CONTINUED USE**

The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. §1058, upon the expiration of the following time periods:

- i) At the end of 6 years following the date of registration.
- ii) At the end of each successive 10-year period following the date of registration.

*Failure to file a proper Section 8 Affidavit at the appropriate time will result in the cancellation of the registration.*

### **SECTION 9: APPLICATION FOR RENEWAL**

The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. §1059, at the end of each successive 10-year period following the date of registration.

*Failure to file a proper Application for Renewal at the appropriate time will result in the expiration of the registration.*

**No further notice or reminder of these requirements will be sent to the Registrant by the Patent and Trademark Office. It is recommended that the Registrant contact the Patent and Trademark Office approximately one year before the expiration of the time periods shown above to determine the requirements and fees for the filings required to maintain the registration.**

Int. Cl.: 41

Prior U.S. Cls.: 100, 101 and 107

Reg. No. 2,317,477

**United States Patent and Trademark Office**

Registered Feb. 15, 2000

**SERVICE MARK  
PRINCIPAL REGISTER**

**CHANNEL M**

MINATAUR PROMOTIONS ENTERPRISES,  
INC. (DELAWARE CORPORATION)  
POTTER & THORELLI  
233 S. WACKER DRIVESUITE 7100  
CHICAGO, IL 60606

FOR: PRODUCTION AND DISTRIBUTION  
OF RADIO AND TELEVISION PROGRAMS;  
AND TELEVISION SCHEDULING (PROGRAM-  
MING), IN CLASS 41 (U.S. CLS. 100, 101 AND  
107).

FIRST USE 12-0-1988; IN COMMERCE  
12-0-1989.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "CHANNEL", APART FROM  
THE MARK AS SHOWN.

SER. NO. 75-192,630, FILED 11-4-1996.

ANNE MADDEN, EXAMINING ATTORNEY

**FILE COPY**

I hereby certify that on March 23, 2004, this correspondence and all listed attachments are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514, Attention: TTAB.

Dorie Choderker  
Name: Dorie Choderker

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application S.N. 75/192,629 in Class 35  
Published July 27, 1999

VIACOM INTERNATIONAL INC.,

Opposer/Petitioner

-against-

MINATAUR PRODUCTIONS, INC.,

Applicant/Registrant.

Opposition No. 112,850  
(Consolidated with Opp. No. 112,851 and  
Cancellation No. 41,048)

**POST-PUBLICATION AMENDMENT WITH CONSENT**

Applicant/Registrant Channel M, Inc. ("Applicant/Registrant") is the owner of all rights in Application Serial No. 75/192,629 by assignment from Minataur Productions, Inc. filed in the United States Patent and Trademark Office on July 31, 2003 and the real party in interest in this proceeding as set forth in its Motion On Consent To Substitute Party and Re-Caption Proceeding filed with the Trademark Trial and Appeal Board (the "Board") on December 12, 2003. Applicant/Registrant hereby seeks to amend the description of services in its above-identified

application Serial No. 75/192,629. Counsel for Opposer/Petitioner Viacom International Inc. ("Opposer/Petitioner") has consented to this amendment.

Accordingly, subject to the approval of the Board, Applicant/Registrant, with the consent of Opposer/Petitioner, hereby requests that the identification of services in its application Serial No. 75/192,629 in Class 35 be amended as follows:

#### **AMENDMENT**

Please delete the present identification of services in its entirety and change to read --providing television advertising for others via closed-circuit television which is not available for home viewing or viewing in educational institutions; production and distribution of television commercials for closed-circuit television which are not available for home viewing or viewing in educational institutions; services relating to promotional campaigns and events, namely, development and dissemination of advertising matter, samples and promotional products for others.—

Applicant also requests that the registration issue in the name of the Assignee, Applicant/Registrant Channel M, Inc.


**REMARKS**

Applicant/Registrant has now amended the identification of services as agreed up in the settlement with Opposer/Petitioner.

Since the foregoing Amendment is restrictive and does **not** require republication of the subject application it is respectfully requested that the Amendment be approved.

Respectfully submitted,


Dated: 2/23/04

  
Dorie Choderker  
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Facsimile: (310) 398-5317  
E-mail: choderker.dorie@verizon.net

Attorney for Applicant/Registrant  
Channel M, Inc.

Consented to on MARCH 2, 2004

FROSS ZELNICK LEHRMAN  
& ZISSU, P.C.

By:   
Michael Chiappetta  
866 United Nations Plaza  
New York, New York 10017  
(212) 813-5900

Attorneys for Opposer/Petitioner  
Viacom International Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 23, 2004, a copy of the foregoing  
Post-Publication Amendment With Consent is being deposited with the United States Postal  
Service as First Class Mail in an envelope addressed to:

Michael Chiappetta, Esq.  
Barbara Solomon, Esq.  
Fross Zelnick Lehrman & Zissu, P.C.  
866 United Nations Plaza  
New York, NY 10017

The same being the attorneys for Opposer/Petitioner.

Dated: 3/23/04

Dorie Choderker  
Dorie Choderker